

Chapter 391 of NAC

ADOPTED TEMPORARY REGULATION OF THE COMMISSION ON  
PROFESSIONAL STANDARDS IN EDUCATION

LCB File No. T010-10

Filed with the Secretary of State on November 15, 2010

NAC 391.332 ~~{Endorsement as}~~ *Issuance of a Special License with a substitute teacher endorsement*; period for which substitute teacher may be hired (NRS 391.019)

*1. To serve as a Substitute Teacher in kindergarten through grade 12 a person must hold either a valid Nevada teacher's license or a valid Special License with a substitute teacher's endorsement.*

~~{1.}~~ 2. To receive an endorsement as a substitute teacher in kindergarten through grade 12, a person must:

- (a) Have completed at least ~~{62}~~ 60 semester hours of credit from an accredited college or university ~~{, including at least 6 semester hours of credit in professional education}~~; or
- (b) Possess ~~{a baccalaureate}~~ *an associate* or higher degree from an accredited college or university.

~~{2.}~~ 3. A school district may hire a person who has an endorsement as a substitute teacher in kindergarten through grade 12 for:

- (a) Unlimited days of service if filling the position of a licensed teacher who is under contract.
- (b) Except as otherwise provided in subsection ~~{3}~~ 4, 60 days of service if filling a teaching position for which a licensed teacher has not been hired under contract.

~~{3.}~~ 4. The Department may grant a school district one extension for 30 days with regard to a person who is hired pursuant to paragraph (b) of subsection ~~{2}~~ 3, in an exceptional case upon request from the superintendent of schools of the county school district or from the administrator of a state-approved private school. Upon expiration of such an extension, a school district may apply for an additional extension pursuant to NAC 391.398 if the school district is unable to hire a licensed special education teacher.

*5. A provisional Special License with a substitute teacher endorsement must be cleared of all provisions within three years from the date of issuance. Failure to remove all provisions will result in the expiration of the substitute teacher endorsement.*

*6. The issuance of a Special License with a substitute teacher endorsement is specific to the requirements of subsections 3 and 4 and does not support the issuance of any other educational license or endorsement.*

*7. To renew a Special License with a substitute teacher endorsement, the holder must:*

*(a) Complete six (6) credits or its equivalency within a five (5) year period. To accomplish this requirement, the holder of the substitute teacher endorsement may:*

*(1) Attend a course at, or taking a correspondence course given by, an accredited college or university, attending any state or national conference which has been approved by the Department to offer credit for continuing education or taking a in-service course offered by the Department or a continuing education course offered by a provider who is approved by the Commission. Courses may be either for grade or pass/fail; or*

*(2) Attend approved Department of Education workshops; or*

*(3) Attend individual professional development activities, approved by the Nevada Department of Education.*

*(b) Complete the appropriate application and pay the fees for renewal.*

**NEVADA DEPARTMENT OF EDUCATION**  
**COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION**  
**LEGISLATIVE REVIEW OF ADOPTED TEMPORARY REGULATIONS AS**  
**REQUIRED**  
**BY ADMINISTRATIVE PROCEDURES ACT, NRS 233B.066**

**LCB File No.**

**NAC 391.332–Endorsement as Substitute Teacher; Period For Which Substitute Teacher  
May Be Hired**

**INFORMATIONAL STATEMENT**

The following statement is submitted for adopted amendments to Nevada Administrative Code 391:

1. A description of how public comment was solicited, a summary of public response, and explanation how other interested persons may obtain a copy of the summary.

Notice of Workshop to Solicit Comments on Proposed Temporary Regulations was sent to approximately 100 individuals and educational organizations. A workshop was held on September 3, 2010. There was public comment.

The Notice of Intent to Act Upon a Temporary Regulation for public hearing and adoption of proposed amendments to NAC 391.332 – Endorsement as Substitute Teacher; Period For Which Substitute Teacher May Be Hired was sent to approximately 100 individuals and educational organizations. The public hearing was conducted on October 15, 2010 to provide the opportunity for comments by affected parties and the public. There was no public comment. The Commission adopted the proposed amendments to the regulation.

2. The Number of Persons Who:

- a) Attended Each Hearing: First Workshop: 15; First Hearing: 10; Second Hearing: N/A
- b) Testified at Each Hearing: First Workshop: 2; First Hearing: 0; Second Hearing: N/A
- c) Submitted Written Statements: First Workshop: 0; First Hearing: 0; Second Hearing: N/A

A copy of any written comments may be obtained by contacting Christina Harper, Administrative Assistant to the Commission on Professional Standards in Education, Nevada Department of Education, 775-687-9226, or by writing to the Nevada Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096.

3. A description of how comment was solicited from affected businesses, a summary of the response and an explanation how other interested parties may obtain a copy of the summary.

Comments were solicited through the workshop notice of July 22, 2010; and the public hearing notice of September 3, 2010. At the September 3, 2010 Workshop to Solicit Comments, there was public comment to the proposed regulation language. At the October 15, 2010 public hearing there was no public comment to the proposed regulation language.

Workshop comments:

- a) Dr. Marilyn Sue Ford suggested that the proposed wording be clarified to include private and charter schools and that the wording for professional development is too vague and open to interpretation.
- b) Peggy Lear Bowen expressed concern that the proposed amendments require six credits to renew a substitute license and feels that this is too extensive and will shrink the current substitute applicant pool.

Public Hearing comments:

There were no comments.

A copy of the summary and/or minutes of the public hearing may be obtained by contacting Christina Harper, Administrative Assistant to the Commission on Professional Standards in Education, Nevada Department of Education, 775-687-9224, or by writing to the Nevada Department of Education at 700 East Fifth Street, Carson City, Nevada 89701-5096.

4. If the regulation was adopted with or without change to any part of the proposed temporary regulation, a summary of the reasons for adopting.

The Commission on Professional Standards in Public Education adopted the proposed temporary regulation language at the public hearing held October 15, 2010. The reason for adopting the amendments to the regulations are to clarify the purpose/requirements of the Special License Substitute Teacher Endorsement; reduce the number of credits from 62 to 60, the level of an Associate's Degree; remove the professional education coursework; and add renewal requirements.

5. The estimated economic effect of the adopted regulation on the business that it is to regulate and on the public. These must be stated separately and each case must include:

There is no economic effect of the regulation on the business that it regulates.

There is no estimated economic effect on the public, either adversely or beneficially, nor immediate or long term.

6. The estimated cost to the agency for enforcement of the adopted regulation.

There is no additional cost to the agency for enforcement of this regulation.

7. A description of any regulations of other state or governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

No other state or governmental agency regulations will be overlapped or duplicated by the above noted regulation. There is no duplication or overlap of federal regulations.

8. If the regulation includes provisions which are more stringent than a federal regulation, which regulates the same activity, a summary of such provisions.

There are none.

9. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

This regulation does not provide for a new fee or increase an existing fee.